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23 OCT 1964

Mr. Kermit Gordon, Director
Bureau of the Budget
Washington 25, D. C.

Attention: Mr. Wilfred Rommel

Dear Mr. Gordon:

The proposed bill to amend Title 18, United States Code, to provide penalties for the assassination of the President or the Vice President and others, which is at present being studied by the Bureau and the Departments of Justice and Treasury, is of interest to this Agency. General comments on the proposal are submitted herewith in keeping with the conversation of yesterday between Mr. Rommel and STAT of my office.

In our judgment, this legislation, in the interest of national security, should include certain presidential appointees, such as the Director and Deputy Director of Central Intelligence, the Special Assistant to the President for National Security Affairs, and possibly others. The extremely sensitive information possessed by these individuals, as well as their access to the highest levels of policy decision, is self-evident. In addition, the possibility of retaliation on the person of the Director of Central Intelligence as the result of United States Government actions abroad cannot be ignored. Unfortunately, the jurisdictional and investigative aspects of any such incident happening in the United States would be compounded by the very likely possibility that the Director, at the time of such an incident, would be carrying documents of a sensitive nature.

The situation would be equally difficult in a case where the Director was severely injured and perhaps unconscious as a result of an attack upon his person. In view of the lack of definitive federal jurisdiction, the Federal Government would, in effect, have to hope for a cooperative attitude on the part of state authorities.

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It is our earnest request that consideration be given to inclusion of the Director of Central Intelligence among those who are to be listed, in addition to the President and Vice President, in the proposed legislation.

Sincerely,

John S. Warner
Legislative Counsel

cc: Mr. Howard P. Willens
Executive Assistant
Criminal Division
Department of Justice

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